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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,939	11/17/2003	Tom McCormick	64117-5001	4453
24574	7590	06/28/2004	EXAMINER	
JEFFER, MANGELS, BUTLER & MARMARO, LLP 1900 AVENUE OF THE STARS, 7TH FLOOR LOS ANGELES, CA 90067			SMITH, ARTHUR A	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

10/715,939

Applicant(s)

MCCORMICK ET AL.

Examiner

Arthur A Smith

Art Unit

2851

UK

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-30 is/are allowed.
- 6) ☒ Claim(s) 1,2,8,9,16,17,19 and 21 is/are rejected.
- 7) ☒ Claim(s) 3-7,10-15,18 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/17/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 14 and 15 are objected to because of the following informalities:

After "control" insert - - of - -.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 8, 9, 16, 17, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohut et al. (US 5327182), supplied by applicant, in view of Bankston (US 3668810).

In reference to claims 1, 2, 8, 9, 16, 17, 19 and 21, Kohut et al. discloses a method of displaying a movie print on a display screen with multiple soundtracks, col. 3 lines 45-47 and col. 3 line 66 – col. 4 line 2; generating separate audio signals from each soundtrack, col. 4 lines 27; transmitting one or more of the audio signals to one screening room, col. 4 lines 28-34. Kohut et al. does not disclose providing a plurality of screening rooms, each with a view of the display screen. Bankston discloses providing a theater system with a plurality of screening rooms, each with a view of the display screen, col. 2 lines 1-14 and fig. 5. It would have been obvious to one of ordinary skill in

Art Unit: 2851

the art at the time the invention was made to provide the method of displaying a multiple soundtrack film as taught by Kohut et al. in a viewing environment that has a plurality of screening rooms as taught by Bankston. This would be done per the teachings of Bankston to provide an improvement to the traditional theater viewing system to now allow individuals or small groups to watch a movie without being disturbed by other patrons of the theater, col. 1 lines 20-27. Further, the system of Bankston is also designed to allow the volume of the one audio signal that is broadcasted to each individual screening room to be adjusted in that particular room, col. 1 lines 28-33.

Allowable Subject Matter

Claims 22-30 are allowed.

Claim 3-7, 10-15, 18 and 20, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In reference to claims 22-30, the prior art of record fails to teach or anticipate the claimed limitation of an audio distribution router coupled to receive the audio signals generated by the plurality of soundtrack processors.

In reference to claims 3 and 4, the prior art of record fails to teach or anticipate the claimed limitation of wherein at least one of the screening rooms receives multiple signals.

In reference to claims 5, 10, 18 and 20, the prior art of record fails to teach or anticipate the claimed limitation of wherein each screening room is effectively acoustically isolated from the other screening rooms.

In reference to claims 6 and 7, the prior art of record fails to teach or anticipate the claimed limitation of wherein the playback of the movie print or the signals is controlled from one of the screening rooms.

In reference to claims 11-13, the prior art of record fails to teach or anticipate the claimed limitation of wherein each screening room is configured to allow receipt of a set of soundtracks from the plurality of soundtracks.

In reference to claims 14 and 15, the prior art of record fails to teach or anticipate the claimed limitation of wherein each screening room is configured to allow control of the playback or the movie print or soundtrack playback system.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur A Smith whose telephone number is (571) 272 2129. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AAS
June 22, 2004



EDWARD LEFKOWITZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800